

**MEMBERS PRESENT**

Peg Birney  
Brian Callahan  
Tom Chang, Alternate  
Thomas J. Knips, Chairman  
Robert LaColla  
Joel Sasser, Alternate

**MEMBERS ABSENT**

Sheila Lahey  
David Stenger  
Robert Rahemba

**OTHER PRESENT**

John V. Andrews Jr., P.E., Town Engineer  
Maryann Johnson for J. Theodore Fink, AICP, Town Planning Consultant  
John A. Morabito, Town Planning Consultant  
Scott L. Volkman, Esq., Town Planning Board Attorney  
Joel Greenberg  
Dominic Cordisco  
Michael Gillespie, P.E.  
Daniel P. Simone, P.E.  
Rob Buyakowski  
Ziggy Rutan  
Mark A. Day, P.E.  
James Lyon  
Katherine Griffin  
Liz Dreeban

The meeting was called to order at 7:0 p.m. by Thomas J. Knips, Chairman. Mr. Knips appointed Mr. Sasser and Mr. Chang to fill in for Mrs. Lahey and Mr. Stenger this evening.

Mr. Knips stated the Chair will entertain a motion to change the order of the agenda due to extenuating circumstances. So moved by Ms. Birney. Motion carried.

**REVIEW**

**HOME DEPOT - AMENDED SITE DEVELOPMENT PLAN**

Mr. Greenberg stated they have revised the plans in accordance with the comments received at the last Planning Board Meeting.

Mr. Andrews stated he had no further issues at this time. Mr. Marino of the Rombout Fire District stated he found the plans acceptable.

Mr. Colsey reviewed the Resolution of Preliminary and Final Approval.

Ms. Johnson stated the Board indicated previously that this was a Type 2 Action not requiring a coordinated review.

Ms. Birney made a motion that the Board waive the final public hearing. Seconded by Mr. LaColla. Motion carried.

**FINAL**

**REVIEW**  
**HOME DEPOT - AMENDED SITE DEVELOPMENT PLAN**  
**(CONTINUED)**

Mr. Colsey indicated that Mr. Volkman has provided additional language via an e-mail received this afternoon. Mr. Colsey read this e-mail into the record. It was the consensus of the Board that this additional language shall be added to the Resolution of Preliminary and Final Approval.

Mr. Andrews stated that condition number 3 and condition number 4 are to be stricken. Mr. Andrews indicated that condition number 5 is to remain.

Mr. Greenberg stated he agreed to the amendments to the Resolution of Preliminary and Final Approval as discussed this evening.

Ms. Birney made a motion that the Board adopt the Resolution of Preliminary and Final Approval as amended during the course of discussion this evening and that the Chairman sign it when it is ready. Seconded by Mr. LaColla. Motion carried.

**REVIEW**  
**THE CREST AT FISHKILL - FRESHWATER WETLANDS, WATERCOURSE AND**  
**WATERBODY PERMIT**

Mr. Sasser recused himself from this discussion.

Mr. Cordisco indicated that he was provided with an advance copy of the draft of this Resolution and he and his client find it acceptable.

Mr. Knips indicated that on the fourth bullet after the word permit the word "with" shall be changed to the word "which."

Mr. Andrews reviewed the Resolution of Approval - Freshwater Wetlands, Watercourse and Waterbody Permit.

Mr. LaColla made a motion that the Board adopt the Resolution of Approval - Freshwater Wetlands, Watercourse and Waterbody Permit and that the Chairman sign it. Mr. Sasser abstained. Seconded by Ms. Birney. Motion carried.

**NEW SUBMITTAL**  
**COUNTRY INNS & SUITES - SITE DEVELOPMENT PLAN**

Mr. LaColla recused himself from this discussion.

Mr. Gillespie stated they were before the Board at the last meeting and since then he has submitted the elevation drawings as requested.

Mr. Gillespie stated the proposal is to remove the existing motel and construction a new 77 room hotel with a single access off of Route 9.

**FINAL**

**NEW SUBMITTAL**  
**COUNTRY INNS & SUITES - SITE DEVELOPMENT PLAN**  
**(CONTINUED)**

Mr. Gillespie stated the improvements shall include the installation of drainage structures and drainage improvements, removal of the existing sewage disposal system, installation of water service and a modification to the ingress and egress of the site.

Mr. Marino stated as a member of the Rombout Fire District, the Fire District requests that the Applicant petition the Rombout Fire District for inclusion into the Rombout Fire Ladder District. Mr. Andrews asked Mr. Marino if the fire district can supply a template for the ladder apparatus.

Ms. Birney asked Mr. Gillespie if he looked at spinning the building around on the lot. Mr. Gillespie stated there will probably be some slight modifications and is not discounting the idea of spinning the building at all.

Mr. Knips asked if a completed application, EAF, application fees and escrow deposit have been received; Ms. Davis stated yes.

Ms. Birney made a motion that the Board accept the application to the Town Engineer, Town Municipal Development Director, Town Planning Consultant, Town Building Department, Town Planning Board Attorney, Dutchess County Department of Planning & Development, New York State Department of Transportation and the Rombout Fire District for their review and comments. Seconded by Mr. Callahan. Mr. LaColla abstained. Motion carried.

**REVIEW**  
**WATERFRONT @ FISHKILL - RETAIL PARCEL - SITE DEVELOPMENT PLAN**

Mr. Knips recused himself from this discussion and appointed Ms. Birney acting Chair.

Mr. Simone stated he is before the Board this evening with a revised lighting plan. Mr. Andrews stated the drawings are at slight variance with the photometric plan.

Mr. LaColla asked if the fixtures are capped. Mr. Simone stated he believed that they are internally shielded and pointed down. Mr. Andrews suggested that this be added as a note to the plan. Mr. LaColla asked how tall the fixtures are. Mr. Simone stated it is 22' to the top of the fixture.

Mrs. Johnson reviewed Mr. Fink's memorandum to the Board dated January 26, 2006; a copy of this memorandum is attached to the original minutes.

Mr. Andrews stated we need to look along the corridor along Route 9D even though it has pedestrian access to it, the goal here is parking lots. Mr. Andrews stated as the lighting reaches the edge of the site it is at the limits recommended so he doesn't know what can be done further.

Mr. Andrews stated the Applicant is looking for a letter of approval as this type of a fixture is different from the one that was originally approved by the Board.

**FINAL**

**REVIEW**  
**WATERFRONT @ FISHKILL - RETAIL PARCEL - SITE DEVELOPMENT PLAN**  
**(CONTINUED)**

Mr. Sasser asked if these fixtures are along the back side of the building by the residential areas. Mr. Simone stated there is some. Mr. Sasser stated he is concerned that there will be a problem with glare behind the building. Mr. LaColla suggested putting the shoe box type fixtures in the back of the building so as not to cause glare in the back next to the residential area. The Board agreed with Mr. LaColla.

Mr. LaColla asked if there are any building mounted lights planned. Mr. Simone stated the buildings are not finalized yet.

Mr. Andrews suggested that the change in lighting be authorized with the addition that the shoebox type fixtures be installed in the back of the building and that the revised lighting plan when received be made part of the original site plan drawings that were endorsed by the Chairman. So moved by Mr. LaColla. Seconded by Ms. Birney. Mr. Knips abstained. Motion carried.

**PUBLIC HEARING**  
**CEDAR VIEW DEVELOPMENT - BOND REDUCTION**

The public hearing was called to order by the Board at 7:34 p.m. Mr. Knips read aloud the Notice of Public Hearing.

Mr. Buyakowski introduced himself as the representative for this project. Mr. Andrews stated that the Applicant is seeking a reduction in the amount of security posted for the construction, installation and completion of the required improvements for this project. Mr. Andrews stated that a major portion of this work is completed and that a \$145,000.000 reduction in the amount of the security posted is acceptable.

Mr. Knips asked if there were any questions, comments or concerns regarding this request.

Mr. Ercolino stated the road was extended to the cul-de-sac and it is supposed to be straightened out. Is that to be covered by the reduced bond? Mr. Andrews stated yes.

Mr. Knips asked if there were any further questions, comments or concerns. There were no further comments from those in general attendance.

Mr. LaColla made a motion that the Board close the public hearing at 7:37 pm. Seconded by Ms. Birney. Motion carried.

Mr. LaColla made a motion that an Amended Resolution of Final Approval be prepared and signed by the Chairman indicating that the Bond Reduction is authorized in the amount of \$145,000.00 and that a new bond in the amount of \$45,000.00 must be posted with the Town. Seconded by Mr. Callahan. Motion carried.

**FINAL**

**PUBLIC HEARING**  
**MID-HUDSON MEDICAL GROUP - SUBDIVISION**

The public hearing was called to order by the Board at 7:38 pm. Mr. Knips read aloud the Notice of Public Hearing.

Mr. Rutan introduced himself as the applicant for this project. Mr. Rutan stated that the Applicant is seeking subdivision Approval to subdivide a parcel totaling 9.06 acres into two (2) lots. Mr. Rutan stated Lot 1 will consist of 5 acres and Lot 2 will consist of 4.06 acres. Mr. Rutan stated that the parcel for this proposal is located at 600 Westage Business Center Drive in the PSC (Planned Shopping Center) Zoning District.

Mr. Knips asked if there were any questions, comments or concerns regarding this proposal. There was no response from those in general attendance.

Mr. Andrews stated this is in the PSC (Planned Shopping Center) District which allows for subdivision approval following Site Development Plan approval.

Mr. Knips asked if there were any further questions, comments or concerns regarding this proposal. There was no response from those in general attendance.

Mr. LaColla made a motion that the Board close the public hearing at 7:42 p.m. Seconded by Mr. Callahan. Motion carried.

**PUBLIC HEARING**  
**HASBROUCK PLACE - SITE DEVELOPMENT PLAN**

The public hearing was called to order by the Board at 7:42 pm. Mr. Knips read aloud the Notice of Public Hearing.

Mr. Day introduced himself as the representative for this project. Mr. Day stated that this parcel was the subject of a rezone by the Town Board and was rezoned from R-40 to GB (General Business) Zoning District. Mr. Day stated the Applicant is seeking Site Development Plan Approval to construct two (2) 25,000 SF buildings which are separated by a glass atrium, for a mixed use development (retail/office space), including the construction of a parking area to consist of 206 parking spaces. Mr. Day stated that the parcel for this proposal is located at 931 Route 9 and consists of 12.4 acres.

**PUBLIC HEARING**  
**HASBROUCK PLACE - SITE DEVELOPMENT PLAN**  
**(CONTINUED)**

Mr. Day stated they are proposing an individual well and septic system and the buildings are two-stories and are made of a structural steel frame.

Mr. Andrews stated at the last meeting both he and Mrs. Johnson issued comments which were technical and that Mr. Day has not revised the drawings as he wanted to obtain the public's input first.

**FINAL**

**PUBLIC HEARING**  
**HASBROUCK PLACE - SITE DEVELOPMENT PLAN**  
**(CONTINUED)**

Mr. Knips asked if there were any questions, comments or concerns regarding this proposal. There was no response from those in general attendance.

Ms. Birney made a motion that the Board close the public hearing at 7:47 pm. Seconded by Mr. Callahan. Motion carried.

**REVIEW**  
**RAINBOW RIDGE PET CEMETERY & CREMATORY - SPECIAL USE PERMIT**  
**& SITE DEVELOPMENT PLAN**

Mr. Lyon stated they have done their best to address the comments received at the last Planning Board meeting. Mr. Lyon stated they are hoping to move this forward to obtain a Resolution of Preliminary Approval.

Mrs. Johnson reviewed the Negative Declaration prepared for the Board dated January 26, 2006.

Mr. Sasser made a motion that the Board adopt the Negative Declaration. Seconded by Mr. LaColla. Motion carried.

Mr. Knips asked how large an animal can be cremated. Ms. Dreeban stated only up to 300 lbs.; it is not like they are going to cremate horses.

Ms. Johnson stated she did review the signage but there is a slight problem as this sits within two zoning districts the GB (General Business) District and the R-15 District. Mr. Andrews stated the applicants are proposing a free-standing sign and Mrs. Johnson stated this sign does fall within the intent of what falls within a residential district. Mr. Andrews stated based on the new sign code there is no provision to allow this type of sign within the GB district.

Mr. Andrews suggested that the Applicants not do anything at this point with the sign as the Board is at a point where they are only granting preliminary approval. Mr. Andrews suggested a positive recommendation be given to the ZBA on this sign and empower Mrs. Johnson to craft a letter to the Town Board suggesting that the new sign code be amended to allow this type of sign.

Mr. Andrews stated a Resolution of Final Approval can be drafted in the future with a condition that a variance be obtained from the ZBA but the Board is not ready for that yet.

Ms. Birney asked if the words "Rainbow Ridge Pet Cemetery" need to be on the sign twice. Ms. Griffin stated they will look at this.

Mr. Andrews stated this project requires both Site Development Plan and Special Use Permit Approval.

Mr. Andrews reviewed the Resolution of Preliminary Approval - Site Development Plan.

**FINAL**

**REVIEW**  
**RAINBOW RIDGE PET CEMETERY & CREMATORY - SPECIAL USE PERMIT**  
**& SITE DEVELOPMENT PLAN**  
**(CONTINUED)**

Mr. Andrews indicated that the adoption date of January 26, 2006 shall be included in the Resolution.

Mr. LaColla asked if there were any provisions for a residence on this site. Mr. Andrews and Mr. Lyons stated it is strictly commercial.

Mr. Andrews stated condition number 11 will need to be reworded in accordance with the discussion this evening. Mr. Andrews stated to leave the first sentence in condition number 11. Mr. Knips suggested that condition 11 also be modified in the second sentence to "not to be in accordance with the current sign code" and to add language that says the Planning Board refers the Applicant to the ZBA with a positive recommendation. Mr. Knips stated basically were looking for permission to put this sign, acceptable in a residential zone, in the GB portion of the property; Mr. Andrews stated yes. Ms. Dreeban and Ms. Griffin agreed to this modification.

Mr. Knips asked if landscaping will be around the sign. Ms. Griffin stated a flower bed and some low ground plantings and it will not be lit.

Mr. Lyon asked if a temporary sign would be allowed in the residential zone. Mr. Knips stated a sign permit is only good for six months.

Mr. LaColla made a motion that the Board adopt the Resolution of Preliminary Approval - Site Development Plan as amended during the course of discussion this evening and that the Chairman sign it when it is ready. Seconded by Mr. Callahan. Motion carried.

Ms. Birney made a motion that the Board schedule a public hearing for February 9, 2006. Seconded by Mr. LaColla. Motion carried.

**REVIEW**  
**PIONEER REALTY HOLDINGS, LLC (A.K.A. RAL SUPPLY GROUP, LLC)**  
**AMENDED SPECIAL USE PERMIT AND SITE DEVELOPMENT PLAN**

Mr. Andrews reviewed his memorandum to the Board dated January 26, 2006; a copy of this memorandum is attached to the original minutes.

Mr. Gillespie stated the building was pushed back an additional 20' and actually made it a little wider to maintain the same square footage. Mr. Gillespie stated they were able to add a 15' drive aisle on the back of the building which sits along the base of the hill.

Mr. Gillespie stated he received a letter at about 4:15 p.m. from the NYSDEC accepting the plan.

**FINAL**

**REVIEW**  
**PIONEER REALTY HOLDINGS, LLC (A.K.A. RAL SUPPLY GROUP, LLC)**  
**AMENDED SPECIAL USE PERMIT AND SITE DEVELOPMENT PLAN**  
**(CONTINUED)**

Mr. Marino asked Mr. Gillespie if there is a way around the requirement for sprinklers in this building. Mr. Gillespie stated sprinklers are not required for this building because it is for storing all plumbing fixtures. Mr. Marino asked what type of plumbing fixtures will be stored. Mr. Gillespie stated typically porcelain sinks which are going to be wrapped in cardboard boxes. Mr. Marino stated upon reviewing the fire code this building does appear to require a sprinklers.

Mr. Andrews stated that Mr. Marino has not received a proposal yet to check for compliance with the Building Code and at this point the Applicant needs to make a detailed submittal to the building department.

Mr. Andrews suggested that the Board is ready to prepare a Negative Declaration and a Amended Resolution of Preliminary Approval - Site Development Plan.

Mr. LaColla made a motion that a Negative Declaration be drafted for the February 9, 2006 Planning Board meeting.

Mr. LaColla made a motion that a Resolution of Preliminary Approval - Site Development Plan be drafted for the February 9, 2006 Planning Board meeting.

Mr. Andrews indicated that Mr. Gillespie must submit directly to the building department.

**REVIEW**  
**MID-HUDSON MEDICAL GROUP, P.C. - SITE DEVELOPMENT PLAN**

Mr. Rutan presented a revised architectural rendering to the Board. Mr. Rutan stated that they have attempted to show the Board a more realistic representation of what the building will look like on the site. Mr. Rutan stated additional landscaping has been added to the site.

It was the consensus of the Board that the architectural rendering as submitted this evening is acceptable.

Mr. Andrews reviewed the Resolution of Final Approval - Site Development Plan.

Mr. LaColla made a motion that the Board waive the final public hearing. Seconded by Ms. Birney. Motion carried.

Mr. Rutan suggested that on condition number 4 prior to issuance of a building permit on the structure that a foundation only be included. Mr. Volkman stated this language can be modified to indicate it is at the risk of the applicant.

**FINAL**



**REVIEW**  
**MID-HUDSON MEDICAL GROUP, P.C. - SITE DEVELOPMENT PLAN**  
**(CONTINUED)**

Mr. Rutan asked if condition number 6 has to be completed prior to the site plans being signed by the Chairman. Mr. Andrews stated that condition 6 does not have to be completed prior to the signing of the final plans.

Mr. Andrews stated that condition number 15 is to be stricken.

Mr. Rutan indicated that he agreed to the modifications to the Resolution of Final Approval - Site Development Plan as discussed this evening.

Mr. LaColla made a motion that the Board adopt the Resolution of Final Approval as amended during the course of discussion this evening and that the Chairman sign it when it is ready. Seconded by Ms. Birney. Motion carried.

**REVIEW**  
**MID-HUDSON MEDICAL GROUP, P.C. - SUBDIVISION**

Mr. Andrews reviewed the Resolution of Preliminary and Final Approval.

Mr. LaColla made a motion to waive the final public hearing. Seconded by Ms. Birney. Motion carried.

Mr. Andrews indicated that the date of January 26, 2006 be included in condition number 6.

Mr. LaColla made a motion that the Board adopt the Resolution of Preliminary and Final Approval - Mid Hudson Medical Subdivision as amended during the course of discussion this evening. Seconded by Ms. Birney. Motion carried.

**JANUARY 12, 2006 PLANNING BOARD MEETING MINUTES**

Mr. Knips stated the Chair will entertain a motion to adopt the January 12, 2006 Planning Board Meeting Minutes as amended. So moved by Mr. LaColla. Seconded by Ms. Birney. Motion carried.

Mr. LaColla made a motion that the close the meeting at 8:50 p.m. Seconded by

Motion carried.

Respectfully submitted,

Debbie Davis  
Planning Board Secretary

Attachments to the original minutes

**FINAL**